

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

APPLICATION NO.1285 OF 2007

IN

APPEAL NO. 1233 OF 2007

Mr.Shahid Khan Nasir Khan ..Applicant

Vs.

State of Maharashtra ..Respondent

Mr.A.P.Mundargi Senior Advocate along with
Ms.Shobhana Shah Advocate for Applicant
Mr.A.S.Gadkari APP for State

**CORAM: S.B.MHASE AND
SMT.V.K.TAHILRAMANI, JJ.**

DATE : DECEMBER 18, 2007

P.C.

1. Heard both sides.

2. This is the bail application of accused no.2-Shahid Khan Nasir Khan claiming parity with the accused no.1 since the bail has already been granted to accused no.1 in Criminal Application No. 1108 of 2007 in Criminal Appeal No. 930 of 2007. Though the learned APP tried to show that the role

attributed to accused no.2 is not on parity with the accused no.1, after having considered the evidence on record and the analytical chart given by the learned counsel for the applicant-accused showing the evidence against accused nos.1 and 2 on par with each other, we are satisfied that the role of the accused nos.1 and 2 is on par and if the accused no.1 is granted bail, on the ground of parity, accused no.2 is also entitled to get bail and therefore, we are inclined to grant bail.

3. Application is allowed. Applicant-original accused no.2-Shahid Khan Nasir Khan to be released on bail of Rs.10,000/- (Rs. ten thousand only) with like surety during the pendency of the appeal.

4. Application is disposed of.

[SMT.V.K.TAHILRAMANI, J.]

[S.B.MHASE, J.]